REMARKS

The Examiner rejects claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Wakeman, while objecting to claims 4 and 5 as depending from a rejected base claim and allowing claim 6. Applicants have amended claims 1, 3 and 4. Applicants respectfully traverse the Examiner's rejection of claims 1-3.

Applicants have amended the specification at page 6 to correct some obvious errors missed by the Examiner and Applicants in earlier reviews. Specifically a period "." was omitted after "**10**" on line 14 and the word "not" was omitted at the end of line 22. This amendment corrects these errors and assures that the description agrees with the algorithm illustrated in Fig. 5.

In contradistinction to Applicants' claimed invention Wakeman teaches a spectrum surveillance receiver system that receives RF signals, converts the RF signals to IF signals, samples the IF signals, provides output signals representative of predetermined properties of the RF signal, and compares the representative output signals with sets of reference signals each of which is representative of a particular modulation type to provide an output indicative of the modulation type if a match occurs or that the signal is unidentified, i.e., the determination of RF frequency modulation characteristics for surveillance purposes. Note that Wakeman operates on every signal within the frequency span in the time domain as opposed to the frequency domain.

Applicants' claimed invention looks only at a selected signal within a specified range of frequencies while Wakeman looks at each signal within a specified range of frequencies. Therefore the first step in claim 1 is to select the unknown signal from the displayed spectral waveform. This step is omitted in Wakeman. Applicants'

claimed invention processes spectral, or frequency domain, data as recited in amended claim 1, whereas Wakeman operates solely in the time domain. Claims 3 and 4 have been amended to conform to amended claim 1.

Applicants in claim 2 recite that the frequency of the unknown signal is compared with a database of spectral assignments for a plurality of known signal types to identify the signal type, where Wakeman merely identifies the frequency of each signal (not just the selected "unknown" one) and does not compare those with spectral assignments of known signal to identify the signal type.

Applicants in claim 3 recite that the processing estimates an OBW for the unknown signal as one of the characteristics. Since Wakeman does not operate in the frequency domain, Wakeman does not make such an estimation. Thus claims 1-3 are deemed to be allowable as being neither anticipated nor rendered obvious to one of ordinary skill in the art by Wakeman.
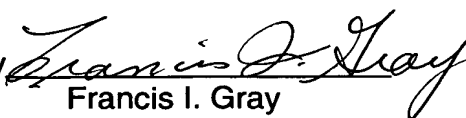
Since claims 1-3 are deemed to be allowable, claims 4 and 5 also are deemed to be allowable in their present form as depending from an allowable parent claim.

In view of the foregoing amendment and remarks entry of this amendment and allowance of claims 1-5 are urged, and such action and the issuance of this case together with allowed claim 6 are requested. Should the Examiner maintain the rejection of claims 1-3, entry of this amendment is requested as placing the case in better form for appeal by narrowing the issues.

Respectfully submitted,

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